

Utah Division of Child and Family Services

David C. Sustainability Report October 31, 2008

**Review and Report Completed By:
The Child Welfare Policy and Practice Group**



Table of Contents

Executive Summary	3
Introduction	6
Review Findings	7
Priority Focus Areas	7
SAFE	8
Trend Data, CPR and QCR	9
Quality Improvement Committees	17
Flexible Funding	20
New Priority Focus Areas	20
Policy, Practice and Procedure Changes	22
Training	24
Practice Guidelines	26
Budget and Resources	26
Workload	29
Data Availability	33
Performance Maintenance	34
Support for Quality Improvement Committees, OCPO and CFRC	36
Technical Assistance to the Regions	40
Public Access to CFSR and Other System Performance Results	40
Access to CWLOP Testimony	42
Collaboration with Institutions of Higher Education	42
Maintenance of Community “Immersion” Experiences	43
Appendix	44

Executive Summary

The following report contains the findings of The Child Welfare Policy and Practice Group (CWPPG) based on its assessment of the Department's and Division's fidelity to the Agreement to Terminate the Lawsuit, which sets out an array of steps the Department will take, processes it will maintain and performance it will sustain during the sustainability period. This Executive Summary will not attempt to summarize the agency's response to all of these responsibilities, but will touch on five of the most significant ones.

First, a major theme of the Agreement is to assure transparency by assuring that relevant data reflecting on performance is available to interested parties. The Division provides voluminous data on its website about policy, reports, data trends and other activities that describe both maintenance of essential processes, like the Qualitative Case Review and results, such as formal reports on performance.

Second, and related to transparency, the Division has continued to maintain and strengthen its external Quality Improvement Committees (QIC), which provide an independent review of agency performance in each region. The transparency of data available permits QIC members to assess the Division's performance, identify trends and challenges and provide input to the Division on system improvement. While the depth of analysis and activity level of Regional Quality Improvement Committees vary, leaving some more attentive to system performance than others, these bodies have continuously improved their value as ongoing accountability mechanisms. The remaining challenge for the Division is to strengthen the less active and less focused QI Committees so that there is consistent high quality feedback to the Department and the community about its performance

Third, system performance as measured by the Qualitative Case Review and Case Process Review (CPR) continues to be an important reflection of sustainability. The CPR process continues at the same intensity as was in place prior to The Agreement to Terminate and no results for the past year fell into the "marked decline" category. Regarding the Qualitative Service Review, while all regions maintained their overall child and family status scores above the established standard and four of five regions maintained their overall system performance scores above the established standard, the majority of the regions experienced worrisome declines in their QCR scores -- including both the overall scores and the scores for individual indicators. Were these trends to continue, there would be legitimate cause for alarm. It is possible that for some of the regions, high turnover and leadership changes contributed to the declines. It is also possible that there has been some relaxation of the priority given to practice as a result of the absence of court oversight during this period. If so, this is a worrisome challenge for the Division.

The key observation regarding the reasons for the observed declines in QCR scores is that the Division and OSR appear to be attentive and active in addressing both the challenges and in addressing their impact on important aspects of child and family status and the system performance. There was no indication in the CWPPG interviews that the Division is unable or unwilling to take responsibility for improving outcomes and system performance.

Specific steps have been taken to address factors such as organizational instability, staffing, and caseloads; and to address any perceptions that outcomes and performance are any less priority after exiting court oversight than before.

Training, a fourth key sustainability factor was assessed by The Child Welfare Policy and Practice Group through interviews, review of curricula, review of training completion data and observation of training. The Division continues to offer protected caseloads for new staff who are completing training within reasonable timeliness. The Division also offers the same training module topics as were used in original practice model training. However the training has now been largely reduced from five day modules to three day modules and in some regions, due to the new four-day work week, reduced further to two-day modules.

In addition some staff experience the mentoring process as a much more informal, unplanned process than others. Observation of training delivery, review of curricula and staff interviews by CWPPG reveal that parts of the assessment and planning modules appear more focused on the form of written assessments and plans than the functionality of the team's assessment and planning work, which is what the QCR measures. The differences between regional training and the intent of the original content are significant enough to raise serious questions about the internal training fidelity assurance process. While the changes in the curriculum do not lead CWPPG to determine that sustainability is not present, the training process is judged to be marginally faithful to the practice model principles and in need of serious scrutiny by the Division.

The fifth major sustainability factor described here, financial support, provides a mixed picture. According to Division data, the total operating budget for DCFS went up slightly for the current fiscal year, from expenditures of \$162,819,800 in FY 2008 to an appropriation of \$166,693,700 in FY 2009. Within the 2009 total, because of inflationary and other costs, reductions were made to stay within the total appropriation. State office reductions involved eliminating six full time equivalent staff (FTEs), including programming staff associated with SAFE, a program manager and one trainer. It is evident that the Department tried to shelter DCFS from the effects of the budget appropriation and minimize impact on direct services. These reductions may have a slight impact, but do not seem significant enough to materially affect performance.

However at the casework level, fifteen family preservation FTEs were eliminated, halving the workforce of thirty and raising the caseloads of remaining family preservation staff from five cases to ten. The Division states that in choosing to make reductions in this program, it was protecting children unable to live safely with families, those in out-of-home care. CWPPG cannot determine whether this reduction will have a measurable effect on the numbers of children entering out-of-home care. It is conceivable that by more precise targeting of families selected for this service, the Division can sustain the placement prevention capacity it needs.

There is no doubt that the effects of a declining economy forced public officials to make difficult decisions about the current budget. What is concerning about the necessity of cutting services due to budget constraints is the fact that the State of Utah, after working since 1994 to comply with this lawsuit, having secured court approval to terminate the case, would during a period when sustainability is being tested and will be reviewed by the court, have chosen to cause a reduction in services on the eve of a final court decision. If such a step has

been taken at this stage, it is not unreasonable to worry about future decisions about financial support for DCFS.

However, CWPPG believes that at this point, having reviewed the Division's performance and operations extensively over the past six months, that the Division and Department have acted in good faith in sustaining the significant gains made in implementing the David C. Settlement. The current Department and Division leadership is obviously committed to sustaining this reform. More importantly, CWPPG believes that the Division and Department have maintained both the capacity to sustain the gains made and levels of performance present at the time of exit.

To speak to the expectations of the Agreement to Terminate, CWPPG believes that sustainability requirements have been met, but that additional attention is needed to assure that practice performance as measured by the QCR continues to meet standards and that training and the functioning of Quality Improvement Committees are consistently capable of fulfilling their mission. We hope that State decision makers will continue to provide the agency the resources needed to maintain the progress achieved.

**Utah Division of Child and Family Services
David C. Sustainability Report
October 31, 2008**

**Review and Report Completed By:
The Child Welfare Policy and Practice Group**

Introduction

The Sustainability Review (variously referred to as the “study” or “review”) is both defined and constrained by the Appendix B associated with the parties’ Agreement to Terminate the Lawsuit approved by the Court on June 28, 2007 (the Agreement). Pains were taken to make clear the review was neither further monitoring, nor technical assistance from the Child Welfare Policy and Practice Group (CWPPG). The recitations prefacing Appendix B (below) frame the review carefully. Aware and respectful of these constraints, CWPPG has conducted the activities and analyses associated with this review carefully and will report the findings of its review by directly referencing the Appendix B and its format as closely as practical. Where there are repeated references to an activity or analysis, the primary references will be noted in brackets ([]). Any observations that might be fairly characterized as “monitoring” or “technical assistance” will be addressed outside the structure of this review.

I. Recitations

- A. The parties and CWPPG understand that CWPPG’s review is designed to measure the Department’s and the Division’s fidelity to the parties’ Agreement to Terminate the Lawsuit approved by the Court on June 28, 2007 (hereinafter, the Agreement).**
- B. The parties and CWPPG agree that CWPPG’s review will focus on whether the Department’s and the Division’s actions in complying with the Agreement were reasonable given the totality of the circumstances for the action measured.**
- C. The parties and CWPPG agree that the definitions set forth in the Agreement shall apply to CWPPG’s methodology and review.**
- D. The parties and CWPPG agree that CWPPG’s Report will be framed according to the methodology set forth below.**
- E. Timeframe: The parties and CWPPG agree that the bulk of CWPPG’s review will take place between July, 2008-October, 2008. CWPPG will have full opportunity to review all information on the website in the interim, and to attend one QCR outside of the review period.**

- F. The parties and CWPPG understand that, as of June 28, 2007, CWPPG will no longer fulfill the role of Court Monitor and that the 2008 review will constitute a separate function.**

Appendix B follows the recitations with the prescribed methodology for the Sustainability Review. All of Appendix B is provided as (again) Appendix B to this review. The paragraph numbers in this review follow those in the Appendix B, which in turn followed those in the Agreement to Terminate the Lawsuit, provided with this review as Appendix A. Following the prescribed methodology, the CWPPG findings will be presented. The principal activities and sources of information that provide the foundation for this Review are described in Appendix D. The appendix is not an exhaustive list of every source, but is provided in order to give a sense of the variety and depth of resources for this review.

Review Findings

14. The parties stipulate and agree that the systemic reforms achieved by the parties need to be sustained. In order to sustain positive outcomes for children and families, the Division agrees to continue operating in accordance with the *Milestone Conditions*, as defined in Appendix A until at least December 30, 2010. The parties stipulate that Defendants' compliance with the terms of this Stipulation provide appropriate mechanisms to ensure that the system will sustain positive outcomes for children and families in the absence of on-going federal court oversight and monitoring by Plaintiffs and the Court Monitor. The *Milestone Conditions* are defined in Appendix A as:

- A. Implementation and training of a Practice Model substantially similar to the Model currently in place as of January 24, 2007 to all direct service employees. METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will review training tracking logs, observe training deliveries, and interview key leadership to determine what percentage of staff is trained in the Practice Model (which modules, etc).**

[See paragraph 23]

- B. The use of Priority Focus Areas: METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will review the quarterly reports to determine: (a) Are the priority focus areas clearly identified; (b) Is an action plan or plans clearly identified; (c) Has the Division acted on the action plan(s); (d) Has the state QI Committee been involved in identifying the priority focus areas and following the Division's action plan(s); (e) If the Division has determined that an area has been adequately addressed, has the Division sought and considered the input of the State QI Committee (through documentation or stakeholder interview) and is the information reported in a transparent way (either through a quarterly or annual report).**

Child Welfare Group Analysis

This item was assessed through the review of Quarterly Reports and through the review of State QI Committee documents. (a) Priority focus areas are clearly identified and are

addressed regularly. (b) Plans to address each of the priority focus areas (worker retention, recruitment, and satisfaction; placement stability for children in foster care; and substance abuse -- worker knowledge, strategies, and resources) are clearly identified. (c) There is evidence that the Division acts upon the plans in a systematic way, resulting in establishing targets, assessing progress, reporting barriers, and identifying logical steps to overcome barriers. (d) There is evidence that the State QI Committee has been involved in identifying the priority focus areas and in following the division's action plans. This is evident from the committee's agendas, reports, and from website links available to the committee and community (including, for example, access to regularly tracked "dashboard" information). Some of the dashboard information on the website appears to be out of date; although more up to date information has been observed in some of the Quality Improvement Committees (QIC). Keeping web information up to date is important to maintaining effective communication with the community and to overall transparency. (e) The three priority focus areas remain active and none have been proposed for replacement.

- C. The maintenance of a SACWIS system substantially similar or improving upon the current SAFE system. METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will receive information from the Division on any changes to the SAFE system that have occurred between July, 2007-July, 2008.**

Child Welfare Group Analysis

The SACWIS (statewide automated child welfare information system) -- SAFE -- in Utah is continuing to improve. This item was assessed through interviews with the senior administrator responsible for SAFE, interviews with DCFS administrators and staff within the regions, interviews with community stakeholders, and observations of the role of SAFE and Safe generated documents during the first half of the Salt Lake Valley Qualitative case Review (QCR). The current expectation is that the system will be fully certified (a federal process that affects funding for the system) by the summer of 2009. SAFE has implemented a new release (DCFS 2900) with a number of enhancements that will affect both service delivery and funding. A programming language upgrade (PowerBuilder version 11.) will improve the functionality of interfaces and the formatting of documents. SAFE continues to provide essential support to the collection of accurate administrative, planning and assessment information. For example, The Case Process Review (CPR) is substantially facilitated by utilizing SAFE. Additionally, there is ongoing work to make appropriate aspects of SAFE accessible to key partners such as providers, legal partners, and the courts. For example, stakeholder interviews indicated that work is underway to develop an effective crosswalk between SAFE and a fairly new automated court information system (CARE). In addition to making the information in SAFE more useful to court employees, such a crosswalk would have benefits for caseworkers on SAFE in such areas as tracking court dates and changes the courts make in orders affecting child welfare cases.

There is continuing, and as yet unfinished work to balance the excellent capacity of automated systems to monitor the recording of case activities and the need to maintain a focus on the quality of front-line casework. For example, SAFE can easily remind a worker (or inform the worker's supervisor) that a case action -- such as a visit -- is overdue. This may result in frequent and hard to ignore reminders that may inadvertently focus worker attention (and supervision) on satisfying the computer, rather than upon the purpose and

importance of the activity. The risk is that attention and conversations may focus on correcting the exception -- checking the box on the screen that confirms a visit -- rather than what the worker needs to learn from the visit in order to achieve safety, permanence, or well-being for the child or family. DCFS is conscious of this challenge and continues to work toward finding the right balance. The history of litigation and trying to get the automated system to support improved compliance with, for example, the CPR contributes to the challenge of achieving this balance.

There is on-going work to improve the functionality of the SAFE system at the front line worker level in at least two ways. First, to strengthen automated support for required documentation that caseworkers are required to develop, such as child and family assessments, and child and family plans. Some of this work has not been completely successful and there are revisions to make them better, rather than leaving less than entirely successful products for caseworkers to contend with indefinitely. There are serious efforts to maintain a productive dialogue between system designers and system users. Second, the Division is starting to provide tablet laptop computers with communication cards (that provide real-time access to the system from remote locations) and small portable printers that permit creating and completing important documents in the field (for example, in schools, parents homes, or at providers' offices). This supports, for example, better functioning of child and family teams by reducing turnaround time on child and family plans and the risk of misunderstandings about the content of the plans or partner's accountability.

- D.** The maintenance of a case process review and a qualitative case review substantially similar to the ones currently performed. **METHODOLOGY:** During the review period (July, 2008-October, 2008), CWPPG will review any changes to the CPR and QCR through the process set forth in paragraph 20 of the Agreement. CWPPG will analyze and review report trends, back-read a sample of 2007-2008 CPR cases, and review a small (between 10-25 %) sample of QCR case stories. Outside of the review period, CWPPG will have a small staff presence (approximately 3 people) to observe a Salt Lake Valley QCR in 2008 and will observe the debriefings and the exit conference. CWPPG will also observe the first QCR in September/October 2008, attending the entire QCR (or significant portions of it) to determine fidelity to the current process. OSR will provide the sampling matrix for each review. CWPPG will evaluate whether the integrity of the process has been maintained, for example: that OSR leads the debriefing, that the sample size remains substantially similar, and that the process and scoring remain substantially similar to what exists in FY 2007.

Note: Because of changes in the regional QCR schedules, the brief observation of a regional QCR outside the designated review period involved the Southwest Region (May, 2008) and the full observation involved the first half of the Salt Lake Valley QCR (September, 2008).

Child Welfare Group Analysis

The Case Process Review

This item was assessed through a review of the CPR section of the Office of Services Review (OSR) Annual Report for FY 2008, interviews with the OSR administrator and staff, and through the participation of a CWPPG reviewer who back read a standard sample of OSR's CPR cases in February and May of 2008. This OSR Report is included as Appendix E. An analysis of the agreement between the CWPPG and the OSR reviewers was also examined. There is consistent evidence that the CPR has been maintained as an effective measure of DCFS compliance with agency standards regarding routine tasks and procedures (such as completing important activities within prescribed time frames or documenting important information about case processes). As the Annual Report notes, "The CPR provides a snapshot of how well the Division documents required functions of case management, while the QCR provides a snapshot of how well those functions lead to positive outcomes for children and families."

The CPR results for FY2008 are substantially comparable to those of FY 2007; and are generally comparable to, or better than FY 2006. There are three years of consistent and generally adequate performance on the CPR. There are small declines in a few specific measures; none of which meet the definition of a "marked decline" agreed by the parties. There are also improvements in a number of specific measures. Overall, the broad results by CPR category (CPS, Unable to Locate, Unaccepted Referrals, Home-Based Services, and Foster Care Services) are very close to the agency's best performance in FY 2007. None of the broad results were less than 5% different from the best performance percentages and most were virtually identical (see FY 2008 Five-Year Progression graphic, below).

FY2008 Five-Year Progression

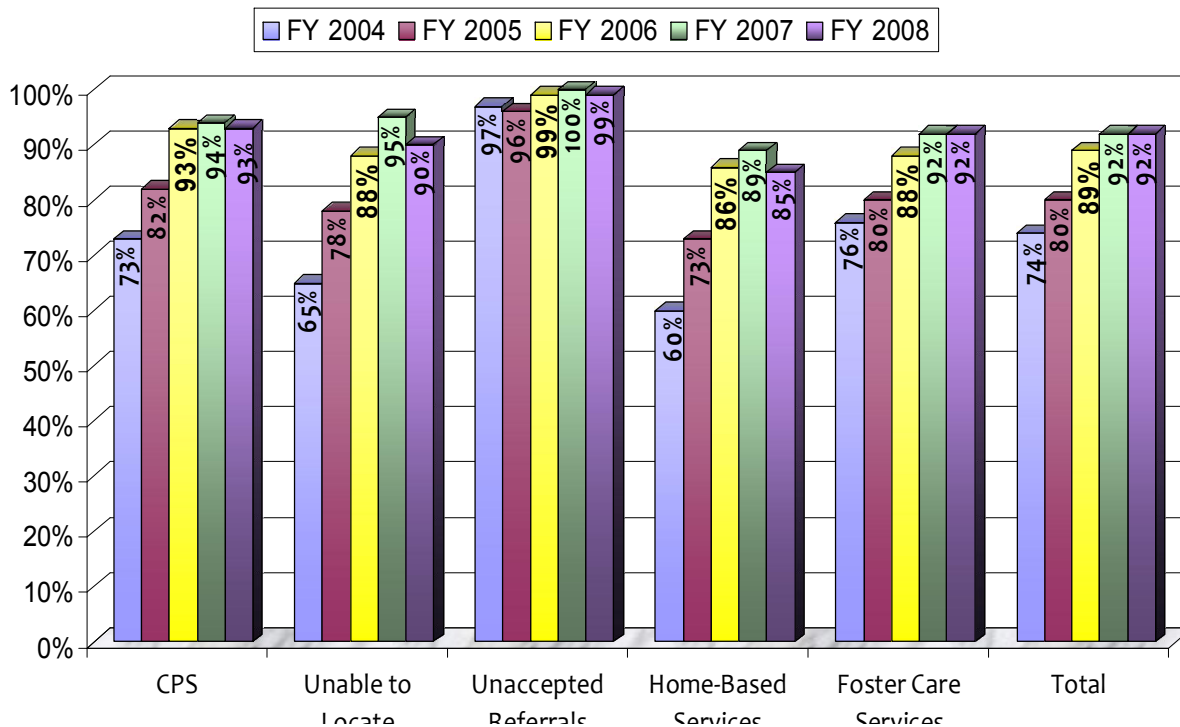


Figure III-2

The participation of a CWPPG reviewer in the back reading and scoring of a sample of cases provided an opportunity to see whether or not there continued to be a substantial level of agreement between the OSR reviewers and an independent CWPPG reviewer. The level of agreement within the FY 2008 sample (the same >10% sample used in previous comparisons) indicates continuing high agreement between the CWPPG reviewer and OSR reviewers on appropriate scoring of the CPR. The unadjusted level of agreement was 93%. The reviewers utilize a disagreement resolution process if there is a question about how the scoring guidance applies to a question where there is disagreement. Subsequent to this process, the adjusted level of agreement was 98%. These percentages are consistent with prior case process reviews where CWPPG has confirmed the reliability of scoring by OSR reviewers. Both the unadjusted and adjusted levels of agreement represent an admirable level of agreement. It should be noted that the Utah Office of Legislative Auditor General has consented to participate in an ongoing check of reliability that will essentially replace the role of CWPPG in this regard.

There are indications that OSR continues to provide meaningful feedback to DCFS and to the regions regarding the CPR results. This feedback is provided through the Annual Report and through more individualized communication with the regions regarding steps to improve both the accuracy and fairness of the CPR process, and steps to improve the actual performance of the underlying case process actions or activities. The Annual Report includes some analysis of results that do not currently meet the established goals and potential steps to improve performance. OSR has met with the state and regional QIC's in order to assist them with understanding the CPR (and QSR) results and their implications.

The CWPPG reviewer participating in the assessment of the reliability of the CPR results noted a number of circumstances in which the limitations of the CPR were evident. Often the limitations had to do with the scoring guidance that (necessarily) defines and delimits sufficient scoring evidence. Occasionally, there are clearly activities that meet the defined standard, but fall short of best practice. For example, child and family plans are to be completed within a timely manner. The designated standard is that the plan is finalized in SAFE within acceptable time frames. Examples were observed where the plan was finalized in SAFE within the timeframe, but where there was evidence that the parent may not have actually seen or signed the plan within the timeframe. Similarly, the scoring guidance for unable to locate cases spells out necessary steps a case worker must take for a CPS case to be designated as an "unable to locate" case. Examples were observed where all of the necessary steps were taken, but where the reviewer was aware that obvious other (but not specified in the scoring guidance) steps would have led to a different disposition of the case. As a final example, there were a number of examples of procedurally adequate (as defined by policy and the CPR scoring guidance) use of congregate care that were rather clearly not in the best interest of the individual children involved. One case noted involved a young child placed in a congregate facility for more than two months. Another involved a child placed in a locked facility for 10 days until a non-offending parent could be located because it was the only placement available in the community. These examples are provided simply to reaffirm that procedural compliance measures like the CPR are limited, no matter how skillfully or consistently they are implemented. This makes the qualitative examination of best practice through the QCR essential. This is not, however, to say

that the QCR should simply be substituted for the CPR. Both processes have their strengths and can work together in a complementary way. For example, the recent CPR identified some declines in scores (although they did not reach the definition of "marked decline") that roughly parallel declines in certain indicators in the qualitative case review. The case process review points to actions or activities that are not occurring with the desired frequency -- the qualitative case review may reflect the results.

The Qualitative Case Review

This item was assessed through a wide range of activities. Each of the regional QCR reports produced during FY 2008 by OSR was examined. The statewide QCR information provided in OSR's Annual Report for FY 2008 was also reviewed. In addition, two representatives of CWPPG attended and observed all of the case debriefings and the exit conference for the Southwest Region QCR in May, 2008. This provided the opportunity to hear summaries of each case review and to listen for emerging trends or issues; and to hear the initial analysis and planning based on results of the review that emerged during the exit conference. In September, 2008, CWPPG fielded nine observers for the first half of the Salt Lake Valley Region QCR (due to the size of the region, the Salt Lake Valley review is conducted in two sessions a few months apart). Fielding this number of observers permitted close observation of seventeen certified Utah QCR reviewers as they reviewed the files for each case being reviewed, interviewed a wide range of individuals involved with each case, scored each indicator in the QCR protocol, and presented their findings in an exit meeting with the caseworker and later in debriefings. In addition to reviewing all of the reports noted above and to the direct observation of actual QCR reviews, a random sample of case stories from the two reviews observed have been examined. Finally, a final observation of OSR's classroom training preparing Utah QCR reviewers for the review process was made in September, 2008.

OSR and DCFS have been fully cooperative during this extensive review of the QCR process and have provided all of the information described in the methodology and have provided additional information when it has been requested. The sampling process used by OSR appears to remain consistent and effective. OSR continues to lead the QCR process with integrity. The detailed direct observation of the Salt Lake Valley QCR provided an opportunity for a close examination of the performance of Utah QCR reviewers. The Utah reviewers were paired with CWPPG observers who employed a protocol that focused on four key skill areas subject to direct observation (record review, interviewing, scoring, and conveying important findings). Each Utah reviewer was scored by the CWPPG observer on the skills based upon scoring guidance provided in the observation protocol. The results of these observations are presented below:

Observation Area 1: Review of the record in preparation for the review. (More detailed description of the observation area was provided in the protocol.)

100% of the reviewers observed demonstrated acceptable levels of skill in this area.

Observation area 2: Interviewing. (More detailed description of the observation area was provided in the protocol.)

82% of the reviewers observed demonstrated acceptable levels of skill in this area.

Observation area 3: Scoring the indicators. (More detailed description of the observation area was provided in the protocol.)

81% of the reviewers observed demonstrated acceptable levels of skill in this area.

Observation area 4: Conveying the important findings of the review. (More detailed description of the observation area was provided in the protocol.)

82% of the reviewers observed demonstrated acceptable levels of skill in this area.

Altogether, there were a total of 67 points of observation that were assessed by the CWPPG observers. Of these 67 points of observation, only 9 were scored as unacceptable by the observers; yielding an overall performance percentage of 87%. It is noteworthy that 6 of the 9 unacceptable scores were attributable to 2 of the 17 individuals observed. This information was provided to OSR which would have responsibility for determining whether or not these scores are typical of these reviewers' performance and whether or not additional training and observation should be undertaken. There is evidence that the capacity to conduct the qualitative case for reviews remains intact.

Apart from the ability to conduct the QCR's, it is important to assess two other important aspects of maintaining the benefit of the QCR process. The other aspects that will be addressed in this review are, first, to examine the QCR results across regions since the Agreement to Terminate the Lawsuit, and second, to provide some analysis of these results. After the Agreement was approved by the court in June, 2007, a complete cycle of QCR's was conducted in each of the regions during FY 2008. These results are summarized in the OSR Annual Report for FY 2008 (see below) in a graphic presenting the progression of statewide overall scores:

Error! Objects cannot be created from editing field codes.

This graphic presents a generally positive trend and indicates, at least at the broadest level of generalization, that both child status and system performance had been maintained within the established standards. A somewhat more disturbing picture is, however, evident with a closer examination of the scores. Another pair of graphics from the 2008 Annual Report provides more detailed information (although still grouped into statewide data) on both child and family status, and system performance:

These graphics document some notable reductions in outcome indicators for children and families (see Stability, Prospect for Permanence, and Family Resourcefulness, for example) and in important system performance indicators (see Child & Family Team/Coordination, Child and Family Assessment, Long-Term View, and Child and Family Planning process, for example). These reductions come into even clearer focus with an examination of the FY 2008 regional QCR reports. Three of the five regions experienced a decline in the overall child and family status (although all five remained above the established standard) and several experienced substantial declines in vital indicators of child and family status (for example, prospects for permanency declining from 83% to 61% or family functioning from 75% to 50%). Three of the five regions experienced a decline in overall system performance with one of them declining below the established standard (four of the five remained above the established standard for system performance).

While all regions maintained their overall child and family status scores above the established standard and four of five regions maintained their overall system performance scores above the established standard, the majority of the regions experienced worrisome declines in their QCR scores -- including both the overall scores and the scores for individual indicators. Were these trends to continue, there would be legitimate cause for alarm. Two important questions arise:

What are the reasons for these declines?

There appear to be several reasons for these declines and the reasons for the declines appear to be at least generally understood by the Division and by OSR. There are some tangible reasons for the declines observed. One region (Salt Lake Valley) was undergoing a substantial administrative reorganization that likely disrupted normal administrative and supervisory structures for an extended period. A number of interviews with staff and the community stakeholders confirmed both the scale and duration of this reorganization. There was generally broad agreement that the region was progressing and benefiting from the reorganization; so

while the reorganization may have been disruptive, the results are generally reviewed as positive and conducive to future progress. Another region (Southwest) experienced both a change in administrative leadership and an unusual peak in staff turnover at many levels. For example, at the time of the FY 2006 QCR, 21 of the caseworkers interviewed had two years or more casework experience, and only 3 had two years or less experience. At the time of the FY 2008 QCR, 8 of the caseworkers interviewed had two years or more casework experience, and 16 had two years or less experience. This is a startling inversion of the experience at the frontline level. Because of the turnover, there was a similar inversion in the caseloads at the time of the review. In FY 2006, 7 workers had seventeen or more cases, and 17 had sixteen or fewer cases. In FY 2008, 12 workers had seventeen or more cases and 12 had sixteen or less cases. Several regions have experienced population surges that have challenged staffing levels and caseloads, and the most rural region (Eastern) has continued to struggle with maintaining consistent staffing and a persistent dearth of appropriate placement and treatment resources within the region.

An additional reason offered for the decline, though certainly less tangible than those above is, however understandable, worrisome on its face. Some of the interviews with Division staff and with community stakeholders seem to convey that there was a sort of collective sigh of relief with the termination of the lawsuit that manifested itself in reduced anxiety about the years long focus on achieving certain scores and get back to normal life. As one individual described the situation, "...Just the release of being out of the lawsuit was there..." To the extent that this reason is reflected in the results, it presents a challenge for the Division and for the community to maintain a consistent focus on improving the outcomes for children and families through improving system performance in the absence of court oversight and formal monitoring.

It is impossible to quantify the less tangible reason, noted above, related to relaxation after a long period of intense stress and anxiety around achieving certain scores and escaping court oversight and monitoring. The more tangible reasons noted earlier are certainly understandable and are part of the inevitable challenges associated with public service and modern life. There is no way to avoid the challenges presented by unexpected population growth, economic booms or busts, or by the realities of rural geography. The key observation regarding the reasons for the observed declines in QCR scores is that the Division and OSR appear to be attentive and active in addressing both the challenges and in addressing their impact on important aspects of child and family status and the system performance. There was no indication in the interviews that the Division is unable or unwilling to take responsibility for improving outcomes and system performance. Specific steps have been taken to address factors such as organizational instability, staffing, and caseloads; and to address any perceptions that outcomes and performance are any less priority after exiting court oversight than before.

Is there evidence that the worrisome trends are continuing?

Fortunately, aside from reassurance and statements of determination from leadership and administration, there is some specific evidence that the worrisome trends noted above can be arrested and reversed. It is instructive to examine the pattern of performance in the Southwest Region. Southwest was the first region to meet all of the exit requirements under the Milestone Plan -- exceeding all of the standards in the consecutive years in FY 2004, FY 2005, and FY 2006 (there is some slippage evident between FY 2005 and FY 2006 although every score

remained above standards). FY 2007 was another story. A variety of circumstances appears to have resulted in a major deterioration in both child and family outcomes and system performance as measured by the QCR. There were rapid and serious declines in the important indicators. For example, Prospects for Permanency slid from 79% to 61%, Child and Family Assessment from 71% to 61%, and Long-Term View from 83% to 65%. OSR worked with the region to analyze factors contributing to the declines and the Division worked with the region to develop a response -- essentially an action plan -- to address them. This process has been utilized in each region where there is substantial deterioration or where a region may appear "stuck" at an unacceptable level with regard to outcomes or system performance.

Southwest experienced its deterioration in the QCR measurements of outcomes and system performance earlier than other regions that were still working hard to achieve the levels of performance that Southwest was demonstrating consistently. This provides, albeit certainly unintended, a natural experiment examining the question, "Are regions capable of recovery if their outcomes and system performance begin to deteriorate?" The results are generally encouraging. With the support provided by OSR and the Division, and the substantial effort of the Southwest Region, itself, the FY 2008 Southwest Regions QCR scores appear to be, with few exceptions, well on the way to recovery. For example, Prospects for Permanence have recovered from 61% to 71%, Child and Family Assessment from 61% to 75%, and Long-Term View from 65% to 75%. All of the region's scores, though they have not recovered to their highest levels, are once again at a level that meets all of the Milestone Plan exit standards. It appears that Utah possesses the internal capacity to both diagnose and treat significant problems related to child and family outcomes and to system performance.

A second natural experiment, though still not concluded, appears to confirm the self-correcting process observed in the Southwest Region examples cited above. Because the Salt Lake Valley Region is first in the QCR review rotation during the FY 2009 cycle of reviews, there is preliminary data to examine regarding whether or not the Salt Lake Valley Region will benefit from the analysis of issues by OSR and the Division's work with the region to address deterioration from the region's peak performance on the QCR. It is important to note that the evidence available is preliminary: it represents only the scores from the first half of the Salt Lake Valley Region's QCR, and even these scores are (at the time of writing this review) also preliminary. These scores are not finalized until the case stories and scoring have been approved by OSR. Even so, there is an encouraging pattern that would confirm the pattern of recovery examined in the Southwest Region, above. Comparing the preliminary FY 2009 scores with the FY 2008 scores (the scores demonstrating some deterioration in the region's outcomes and system performance), the following examples are clearly encouraging: Prospects for Permanence improved from 59% to 82%, Child and Family Assessment improved from 65% to 82%, Long-Term View improved from 68% to 76%, and the Child and Family Planning Process improved from 68% to 79%. Even if these improved scores are attenuated by OSR scrutiny and the impact of the second half review scores, the trend appears to be positive. This second example provides some additional confirmation that there appears to be internal capacity to address deterioration when it occurs in the outcomes or system performance measured by the QCR.

- E. The maintenance of Quality Improvement Committees that perform the core functions set forth in the Milestone Plan (“The purposes of the QI Committee is to study the data and outcomes children, families and communities experience, and to suggest changes in resource deployment, policy, procedure and practice that will improve or maintain favorable outcomes.”). **METHODOLOGY:** During the review period (July, 2008-October, 2008), CWPPG will visit QI Committee meetings, will interview key stakeholders, including legal partners, will review minutes from the QI Committees, and will evaluate whether the Committees: (a) Review trend data in a meaningful way (i.e. understand highs and lows, where trends have remained stable, etc.); (b) Have the opportunity to discuss what communities can do for improvement; (c) Have the opportunity to address media and public relations issues; (d) Have the opportunity to work on qualitative reviews, special studies and/or other special functions (such as the stories of hope); (e) Have the opportunity to participate in Child Welfare Practicum (currently referred to as “immersions”) and/or the QCR; (f) Provide quarterly reports that reflect (i) what the committees have reviewed and discussed; (ii) what functions they have performed; (iii) what recommendations, if any, they have provided to the Division regarding resource allocation, policy, procedure or practice changes, and (iii) whether the Division has provided a reasonable response to the recommendations that explains why the recommendations has been adopted, rejected, or modified.

Child Welfare Group Analysis

This item was assessed through three primary sources of information. The DCFS website provided access to agendas, membership lists, and minutes from the meetings of the State QI committee and the various regional QI committees. During the review period, CWPPG attended meetings of the State QI committee and at least one of the QI committees in each of the five regions (some regions operate more than one QI committee because of the geographic distances and intraregional differences in issues). Stakeholder interviews at both the state and regional level provided some additional information. The maturity and stability of functioning among the various QI committees varied noticeably across the state. Some had long histories of consistent functioning and a coherent sense of mission, while others are at earlier stages of development and appeared to struggle to maintain a clear purpose. Neither the State QI committee nor any of the regional QI committees could fairly be described as moribund; all of them, to varying degrees, have attempted to remain organized and to address issues of interest to the committees. This review will attempt to describe both the strengths and needs observed within the QI committees.

(a) There were consistent indications that all of the committees had the opportunity to review the trend data and that there was some regular attention to helping the committees interpret the data made available to them. OSR and other state level resources have met with the committees from time to time to support the committees’ understanding of the data and of the implications of the data for local (or state) results. The depth of the discussions varied across committees, but the regular sharing of information appeared to be part of the routine of the meetings rather than

simply a routine obligation to be checked off a list of responsibilities. For example, in the Richfield QI (Southwest Region) committee meeting there was a review of data regarding unaccepted intakes that involved a discussion of trends. Members of the committee asked questions that will require some additional data from DCFS. There was a commitment to provide the committee with the information at the next meeting. Similarly, in the Northern Region QI committee meeting, there was a productive discussion of a topic of ongoing interest to the committee (the population in foster care over 24 months) that clearly reflected effort by the region to meet the committees request for more detailed trend related information.

(b) There were clearly opportunities for the committees to discuss what communities can do to support improvements in the lives of families and children. Several examples related specifically to be established priorities for the agency such as the impact of substance abuse. During the observation of QI committees in the Southwest Region, there were reports on recent, highly successful community events that focused on raising community awareness and attention to the impact of substance abuse on children and families. For example, the Richfield QIC had sponsored what was intended to be the first of annual drug awareness events in cooperation with other community agencies. The turnout, reportedly nearly 1800 people, was remarkable for a small rural community; and the event clearly tapped into an issue of concern, not only for the agency, but also for the community. The handout materials, for another such event in Southwest (in Cedar City), reflected thorough organization, a balanced agenda, and support from the state level. The agenda, entitled, "Meth and Families: All-Day Workshop" provided useful information, a community lunch, and the perspective of a recovering family. Other QI committees reflected other concerns that were translating into specific steps. For example, the Northern Region QI committee was actively involved in exploring supports for youth transitioning to independence and more intensive efforts to locate kin for children struggling to achieve permanency. A youth transitioning to independence participated in the discussion and contributed a sense of urgency based upon her personal experience.

(c) There were indications that the QI committees were aware of and involved in addressing media and public relations issues. For example, part of the Salt Lake Valley QIC meeting observed was given over to recognition awards for outstanding frontline staff. Media were invited and favorable print coverage reflected well on the initiative and personal commitment of staff to children and families. Several of the QI committees observed had completed or had scheduled "Immersion" opportunities for local community partners and stakeholders. There was clear attention to including critics and skeptics as well as individuals already recognized as supportive of the agency's mission and accomplishments. Other QI committees recognized community partners that contributed not only to the agency, but to the broader welfare of children and families in the community. For example, the Eastern QI committee recognized a local Scout leader who, despite many community responsibilities, made time for a leadership role with the QIC.

(d) Most of the QI committees observed (or records of their meetings) provided clear evidence of steps to involve QI committee members in the qualitative review process and in other processes intended to explore strengthening understanding of the relationship between outcomes for children and families and the agency system performance. For example, the Northern QI

committee continues to support the Celebration of Hope events that connect casework and outcomes. The first Salt Lake Valley QCR for FY 2009 included reviewers actively involved in the Region's QIC. Similarly, Southwest QIC members are actively recruited for involvement in the Region's QCR. Similar arrangements were evident in some other regions, as well.

(e) Most of the quality improvement committees provide members with the opportunity to participate in the Child Welfare Practicum (the "Immersion" experiences) and/or the QCR. The depth and quality of the "Immersion" experiences appears to vary across the regions; with some of the regions having substantial experience in recruiting participants and in providing them with a productive learning experience (the Northern Region, for example). Some of the regions seemed to be struggling with the concept and seemed unsure about who to recruit or what those recruited might learn. One region observed, for example, was working intently on an upcoming "Immersion" experience for community leaders, but it was scheduled as a very brief experience and it was scheduled less than a month following the planning meeting which would seem to allow little time for busy community leaders to work it into their schedules. The event planned sounded more, to the CWPPG observer in the meeting, like a traditional "This is how our services work" presentation than the direct observation or "ride along" experiences offered in some other "Immersion" experiences. Using the Child Welfare Practicum and QCR to greatest benefit requires considerable advance planning, a clear understanding of what is to be achieved, and both preparation and follow-up with participants so that the experience is more than an isolated event.

(f) It appears that all of the QI committees provide a Quarterly Report that, to some extent, fulfill the minimum requirements (i) what the committees have reviewed and discussed; (ii) what functions they have performed; (iii) what recommendations, if any, they have provided to the Division regarding resource allocation, policy, procedure or practice changes, and (iiii) whether the Division has provided a reasonable response to the recommendations that explains why the recommendations has been adopted, rejected, or modified.} of this aspect of the Agreement. The quarterly reports can be viewed on the DCFS website. Examining the Quarterly Reports, it appears that some are more up-to-date than others (all of the regions have some quarterly reports up for the second quarter (April, May, June, 2008), but there is no second quarter report for the State QI committee as of the writing of this report). Similarly, some of the Quarterly Reports are fairly detailed and it is fairly easy to follow the disposition of issues or activities (for example, Northern, Southwest (Washington County), and Salt Lake Valley). Other reports appeared to be more pro forma and it is not easy to follow the business of the region's QIC. Examining the minutes of meetings reveals similarly varied results. In some minutes, it is possible to easily follow the identification of a concern, the framing of a request to the region or the state, and a responsive reply from the region or state. In other minutes, it is difficult to follow a flow of business and the minutes seem more a narrative record of what was discussed in a particular meeting.

Overall, information from the observations, from the available records, and from interviews with stakeholders suggests that the quality improvement committees are present and functioning, albeit to varying degrees. Utah has some regional committees that are reasonably mature and that present models for other regions -- not necessarily models of perfection, but models of

evolving functionality as the community's voice in understanding and assessing the outcomes and system performance of DCFS. None of the committees would likely qualify as an ideal that merely needs to be replicated; but several have substantial strengths that, cumulatively, can provide useful models for committees that continue to struggle. There are some committees that have at least an evolving sense of what might be described as "ownership" or "full partnership" with the agency. Some of the others have busy community volunteers, willing to commit their time and energy to improving the outcomes and the agency, but who experience continuing uncertainty about where their committee is going or what it is doing. Similarly, there are agency staff members working diligently to support the committees, but still seemingly uncertain about what the committees are to do beyond fulfilling a requirement of the Milestone Plan that they exist. Areas of relative strength include identifying issues of concern, using data effectively, and outreach to the community around areas of mutual concern. Areas of continuing challenge include the full involvement of consumers (youth and parents), retention of community leaders, and clarity of focus beyond specific projects.

- F. Flexible funding: **METHODOLOGY: During the review period (July, 2008 - October, 2008), CWPPG will review the DCFS budget and other relevant documentation, and interviewed DCFS stakeholders to determine that flexible funding continues to be available.**

Child Welfare Group Analysis

This item was assessed through the examination of budget documents, stakeholder interviews, and interviews with agency and department leaders. Flexible funding continues to be available in excess of those amounts defined in the Milestone Plan. All child welfare agencies may experience some tension between what can actually be accomplished with flexible funding and what front-line staff perceives to be the limits of categorical contracts and services. Utah is no exception. There are substantially frequent examples available of innovative use of flexible funding (as well as other sources of funding through, for example, specialized contracts) to craft and support more responsive, more individualized services to children and families. There are, on the other hand, frequent examples of reliance upon categorical services or routinely contracted providers that are readily available, even when services or providers are not particularly well matched to the needs of an individual child or family.

Ongoing training, supervisory coaching and mentoring, and support from middle management appear essential to keep the efficient use of flexible funding as a viable part of day-to-day practice.

16. Milestone Four establishes "priority focus areas" as they existed in 1999. The parties agree that these priority focus areas need to be updated. Accordingly, the Division has consulted with the State QI Committee to identify new areas for priority focus. These priority areas are: employee retention and recruitment, placement stability, and substance abuse. A strategy for improvement in each of these areas will be identified in writing prior to June 28, 2007. Progress on these areas shall become part of the Division's quarterly report until December 31, 2010 or until the focus areas are deemed adequately addressed by the Division with the active participation of the State QI Committee. **METHODOLOGY: See paragraph 14(B) above.**

Child Welfare Group Analysis

[Please see the response to 14, B, above]

18. Milestones Six through Nine set forth the Division's commitment to analyze trend data, conduct the Case Process Review (CPR) and the Qualitative Case Review (QCR), and to establish QI committees. Defendants recognize the importance of sustaining the on-going processes and objectives set forth in these milestones as they have played a pivotal role in the Division's reform of its child welfare system. Accordingly, the Division has finalized and adopted administrative policy that specifically incorporates the Division's role in carrying out the collection and analysis of trend data, and supporting the CPR, QCR, and QI Committees. The new policies will be published on the Department Website and provided to Plaintiffs on or before March 1, 2007. The Division's role in supporting these important functions will be substantially the same as in FY 2007, until at least December 31, 2010. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will confirm that the policy is available on the Department Website, and will use stakeholder interviews to determine whether the policy has been followed.**

Child Welfare Group Analysis

This item was reviewed through accessing the Department website, through stakeholder interviews, and through interviews and document reviews specifically related to the CPR, QCR, and QI committees. The website location for the specific administrative guidelines is < <http://www.hspolicy.utah.gov/dcfcs/>>. The administrative guidelines related to this item are designated as 070.1, 070.2, and 070.3. These guidelines state clearly the division's role, both at a state and regional level, in carrying out the collection and analysis of trend data and supporting the CPR, QCR, and QI committees. Interviews conducted during the review period were supportive of the Division's ongoing support in carrying out the collection and analysis of the specified data and processes. This support was also evident in the minutes and quarterly reports of the QI committees.

19. The Office of Services Review will continue to have responsibility for administering the CPR and the QCR. OSR will conduct the CPR on an annual basis and the QCR annually for each region. The Department may make changes to the CPR or QCR processes and/or instruments, following the process set forth in paragraph 20. **METHODOLOGY:** During the review period (July, 2008-October, 2008), CWPPG will monitor any changes to the CPR and QCR through the process set forth in paragraph 20. See also paragraph 14 (D) above. If the annual report is not available during CWPPG's review period (July, 2008-October, 2008), OSR will provide as much information as is reasonably available.

Child Welfare Group Analysis

This item has been reviewed through examination of OSR publications including the Annual Report for FY 2008, all of the regional QCR reports, the CPR report for FY 2008, interviews with OSR and DCFS staff, and observations of two regional QCR's and the CPR. OSR has conducted the CPR and the QCR on the schedule required by this Agreement. There have not been substantive changes in the CPR or QCR that would limit their utility in collecting useful information. Small changes to improve the accuracy or utility of the information appear to

conform to the process described in paragraph 20, below. For example, long running discussions (that have, in the past, involved the attorneys for the parties and CWPPG, in its prior role as federal court monitor) regarding the usefulness of two CPR questions (HB.6 and FC.IV A5) resulted in a recommendation from OSR to remove these questions from the CPR in the belief that the QCR was a more useful and accurate measure of the appropriate initiation of services. There were discussions with the State QI Committee conforming to the requirements of the Agreement. These discussions resulted in the development of a substitute question for FC.IV A5 that has been piloted. OSR was unable to identify a constructive alternative for HB.6. OSR has committed to presenting the available data to the state QIC committee for review and discussion along with a recommendation based on the results of the pilot.

OSR has published the annual report for FY2008 presents the findings for the state and regions on the CPR and QCR.

20. Defendants may propose material changes in the policies, practices, and procedures set out in Part II of this Stipulation that Defendants believe are necessary and proper for the effective administration of the Division, or are necessary to comply with or implement changes in the law that make it impossible for Defendants to comply with any policy, practice, or contained herein. If Defendants propose such changes, they shall provide prompt written notice to the State QI Committee. The notification shall include: (a) the proposed change; (b) a summary of the reason for the change; and (c) the proposed date of implementation of the change. The State QI Committee will have no fewer than 45 days to comment on the proposed change (the proposed date for implementation must be at least 45 days after the notice is given). Defendants shall give full, fair, and good faith consideration to all comments and objections received, and shall notify the State QI Committee in writing of their decision and the reasons supporting their decision. The Division shall provide complete information on all material changes in the policies, practices, and procedures set out in Part II in an appendix to its annual report, which will be publicly available on its website. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will evaluate whether (a) any changes have been made, (b) whether the State QI Committee was given notice of the proposed change no fewer than 45 days before the proposed date of implementation; (c) whether the State QI Committee had an opportunity to actively participate in the process; (d) whether the Division provided a written response to any written feedback given by the State QI Committee; (e) whether the changes were published in the Annual report. CWPPG will evaluate compliance with this paragraph through record review and stakeholder interview.**

Child Welfare Group Analysis

This item was assessed utilizing available records, including State QI minutes and reports, the DCFS Exit Agreement Matrix (Exit Agreement Requirements -- Time Period Ending June 30, 2008) from the Division's website, the most recent DCFS Annual Report, and from stakeholder interviews. DCFS states (Exit Agreement Matrix) that there have been no material changes regarding this item, and there is no appendix to the DCFS Annual Report evident on the website addressing any such changes. DCFS does note the release of kinship practice guidelines and states that it has, "...determined that there were no material changes that would impact our practice model. The new kinship practice guidelines reflect our practice model by making it

possible to place children more quickly with relatives." The kinship practice guidelines are posted on the website.

Although not initiated by DCFS, there was an exchange between the State QI Committee and DCFS regarding the handling of unaccepted referrals that sheds some light on policy, practice, or procedural conversations between the Committee and DCFS. The website for the State QI Committee summarizes the Committee's interest and concern about geographic inconsistency in the area of unaccepted referrals to CPS (http://utahqic.utah.gov/unaccepted_referrals.html). A reply from DCFS, dated April 20, 2007, appears to be an adequate answer and is responsive in some detail to each of the Committee's enumerated recommendations. The DCFS reply provides reasonable time frames and a rationale for any delay in responding to specific recommendations. The reply also invites a continuing dialogue with the Committee about achieving mutual goals.

21. The parties stipulate and agree that the overarching systemic reform of Utah's child welfare system achieved through the efforts of Defendants, Plaintiffs, and the Court Monitor will be sustained. Defendants hereby agree to maintain this reformed system by complying with the requirements set forth in Sections A-F below. These requirements will be sustained unless and until the Division and/or Department) determines with the input of the State QI Committee (or other community partners if this committee no longer exists after December 31, 2010) that a particular requirement is no longer resulting in positive outcomes for children and families, or that there is a new model that would improve upon the systemic reforms. The Division will provide an explanation for changes to these requirements in its Annual Report, which shall be publicly available on its website. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will evaluate whether (a) any changes have been made; (b) whether the state QI committee has actively participated in the process; (c) whether the Division has documented (i) that the requirement is no longer resulting in positive outcomes for children and families; or (ii) that there is new model that would improve upon systemic reforms and (iii) the basis for the Division's decision to change the requirement. CWPPG will evaluate this through review of the Annual Report and Stakeholder interview.**

Note: This item refers to "Sections A-F below" -- this appears to be a reference to paragraph 14, A-F which actually appears earlier (above) in this document. This response is based upon the premise.

Child Welfare Group Analysis

This item was assessed through the review of the 2007 Annual Report and stakeholder interviews. [Sections A-F of paragraph 14 have been addressed in some detail, above.] [See, also, the assessment of 20, above.]

23. The Division shall provide appropriate training to all direct service employees on the practice guidelines, and will ensure that employees are made aware of any changes to the guidelines through practice alerts and on-going training and mentoring. All direct service

employees must be informed of, trained on, and employ the Practice Model. Direct service employees shall also be made aware through training and through Division administration that adherence to the Practice Model is mandatory. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPPG will review training tracking logs, observe training deliveries, and interview key leadership to determine what percentage of staff is trained in the Practice Model (which modules, etc) and whether and to what extent staff are informed that adherence to the Practice Model is mandatory.**

Child Welfare Group Analysis

In reviewing training practices and performance, CWPPPG sampled the fidelity of training delivery to the practice model and original practice model curriculum, reviewed state level and regional versions of practice model training modules, reviewed levels of training participation and completion by staff and interviewed training managers and trainers. CWPPPG also convened two key informant groups of case managers. One group consisted largely of very recent training graduates and another consisted of participants that had greater post-completion experience.

CWPPPG found a number of differences between the original curriculum and the current version. Modules are shorter than the original five-day versions, reduced largely to three days until recently, when at least in some regions they were reduced to two days each, according to DCFS staff, as a result of the shift to the four-day work week. This change occurred during the CWPPPG fidelity review process. DCFS explains that the reduction in the length of training is due to the fact that the development of the mentoring program, which all new staff experience as part of training and development, provides practice field experience opportunities that supplement and in some cases substitute for formal classroom training. In addition, it is clear that the day-to-day practice culture of the Division has changed, with teaming being a routine and central part of practice. So some of the more elemental parts of the original curriculum can be replaced by peer modeling and supervisory mentoring. Also, the adoption to the four-day work week provides fewer days for training, according to the Division. Division staff report that the training day has been lengthened to provide some compensation for this change.

Generally speaking the content of each module remains consistent with the original versions, with the assessment module having undergone the most revisions. Regional differences exist in details of the training delivery, although the differences are not substantially significant.

The worker key informant discussions provide useful feedback on what staff is currently experiencing in training. While views of these two groups may not be fully representative, they are instructive in regard to the challenges of maintaining training delivery. Participants agreed that they were eased into their responsibilities by being given a reduced caseload initially. This permitted concurrent mentoring which provided opportunities for practical application of practice model approaches addressed in classroom training. Some respondents noted that mentoring was more effective when a staff member had formal responsibility for the function rather than having to rely on “finding someone” when they needed help. Comments suggested that for some staff, the mentoring process was not very structured or formal. This is a finding raised by CWPPPG in the past as well. Participants found the engagement training somewhat elemental and wished the teaming training could have been longer. A significant percentage of participants found the assessment training confusing and more focused on wording the

assessment findings in SAFE than on the understanding of families. They also found the child and family planning training disproportionately focused on wording and writing plans than on the process of planning.

DCFS has a goal of completing the training of all new employees within six months of hiring date. In reviewing the extent to which staff was completing training in a timely fashion, CWPPG found that almost all employees hired prior to December 31, 2007 had completed training. DCFS reports that 25 of the 439 staff hired before December 31, 2008 need at least one module to complete the training process. For those hired in the past six months, the following table shows some regional differences in meeting the six month goal. Most regions show steady progress toward the goal with the exception of the Northern Region, which expects all employees to complete training by mid-October. Northern has a high number of new employees that have not been employed long enough to complete training.

Region	Percent Trained Current Employees Hired 1/1/04 – 3/31/08	Percent Trained New Employees Hired Within Last 6 Months
Northern	81%	42%
Salt lake	98%	96%
Western	97%	0%
Eastern	92%	22%
Southwest	100%	83%

The CWPPG training review determined that DCFS is maintaining the capacity to train workers in a timely fashion. Regarding the fidelity of training delivery, CWPPG has some concerns based on the reduced length of training, even with complementary mentoring and also about the compliance/procedural focus of some modules. CWPPG has noted frequently in providing QCR feedback that some staff seemed more focused on perfecting the written functional assessment document and written case plan than on the functionality of the child and family team's operative assessment and planning. Since the QCR rates practice performance more on practice performed than practice documented, this disjuncture between training and quality assurance raises questions about training focus. The Division reports that it periodically observes training delivery in each region; however it appears to need considerable strengthening. There seems to be little structure to the internal fidelity process and in the opinion of CWPPG reviewers, it has not addressed what reviewers identified as significant departures from the substance of the original training content. As a result of these findings, the fidelity of training delivery to the practice model and practice model training is seen as marginally faithful to the original design and in need of deeper examination by the Division.

24. The Division shall continuously assess the Practice Model and the practice guidelines, and take steps to improve these case practices for children and families. The Division will notify the State QI Committee of any material change in the Practice Model and practice guidelines in accordance with paragraph 20. The Division will also provide such information in its annual report, which will be publicly available on its website. **METHODOLOGY: See paragraph 20, above.**

Child Welfare Group Analysis

[See paragraph 20, above.] CWPPG found that the Division attends to the need for revisions in practice guidelines, as illustrated by the recent efforts to improve the planning format. Revisions in formal policy are accessible on the Division's website.

25. Defendants shall make good faith efforts to ensure that sufficient resources are made available to sustain the reforms and outcomes achieved through this litigation. It is acknowledged by the parties that substantial budget cuts will undermine the Division's ability to run its child welfare system. As part of the good faith efforts, the Department shall engage key community stakeholders in its efforts to ensure sufficient financial resources, including not limited to the Child Welfare Legislative Oversight Panel and the Governor's Child and Family Cabinet Council (described in paragraph 39), by providing information and data as described in section D, and involving them in identifying needs and resources. The Department will also engage the QI Committees in these efforts and in seeking other community investment in the child welfare system. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will determine whether good faith efforts have been made by reviewing the budget, and interviewing stakeholders to determine whether the Division has made good faith efforts to provide information to appropriate stakeholders and to elicit support for its budget.**

Child Welfare Group Analysis

This item was reviewed by examination of the budget information made available, and through stakeholder interviews with Department and Division leadership and with community stakeholders. A brief summary of the actual and projected budgets for DCFS is provided below. This summary permits a visualization of the overall agency budget trajectory across three years.

DCFS Budgeted funds by Fiscal Year showing continued maintenance of effort in provision of services.				
	2007 Actual	2008 Actual	2009 Appropriated	
KHA	3,685,000	3,687,000	2,661,100	Includes administrative services and staff.

KHB	65,370,300	70,500,900	72,873,800	Includes salaries and other administrative expenses for staff working with clients in custody and providing services to in-home cases. Also includes regional administration and support.
KHE	37,614,600	45,356,800	45,791,500	Includes services to clients in custody primarily through foster parents, residential facilities and contracted medical services.
KHP	13,906,000	14,494,600	14,912,600	Includes guardianship subsidy payments, non-recurring adoption expenses, supplemental adoption assistance, monthly subsidy payments and adoption court supervision.
Balance App. Units	27,667,600	28,780,500	30,454,700	Includes In-Home services, Facility services, Minor Grant awards, Special need payments, Domestic Violence, Children's Trust Fund and Division Information System.
Total	148,243,500	162,819,800	166,693,700	

There appear to be numerous indications of good faith efforts to ensure that sufficient resources are available to sustain the reforms. At the time this report was written, there was considerable uncertainty about the health of the economy. Although Utah may be less affected by adverse economic conditions than other states, there is no way to project the ultimate impact of tax receipts and other factors on the DCFS budget. The best evidence available indicates proactive efforts by the Department to shield DCFS from cuts where possible and to make every effort to preserve the direct services most closely tied to the reform. The audio recording of the most recent Child Welfare Legislative Oversight Panel (CWLOP) reflected this effort during the Department's Executive Director's discussion with legislators of funding stability during a period of economic instability. An examination of the Department of Human Services, 2008 Special Session Budget Cuts document confirmed efforts to protect front-line caseworker positions and services to children in the custody of DCFS, consistent with the Executive Director's budget discussions with the legislators.

The Division provided a summary of the current budget, which reflects approximately \$1,000,000 in reductions in the area of central office administration. This cut results in the loss of six FTE staff at the central office level and will also affect some technology purchases. In addition fifteen family preservation FTE staff are cut, resulting in an increase in family preservation caseloads from five families to ten. There were no other programmatic reductions and overall maintenance of effort was sustained. While these administrative reductions may not have a significant effect on performance at the casework level, the family preservation reductions are worrisome. If higher caseloads result in less intensive work with families, children previously protected within their own families could enter care. Entry into care trends merit attention not only from the Division, but also from Quality Improvement Committees.

The community stakeholder interviews and other documents reviewed indicated good faith efforts to maintain community support for the reform. This was reflected in broadly positive comments about the performance of the Division and efforts to utilize available resources efficiently. For example, the minutes from the Child and Family Cabinet Council meeting on May 6, 2008 detail outreach efforts to preserve a variety of services that support children and families, to strengthen attention to prevention services, and to help "those that are wary of government intervention with families" recognize efforts to serve children and strengthen families as ways to reduce the necessity of more direct interventions. Most of the Quality Improvement Committees appear conscious of the opportunity to build grass-roots level support for services that address the needs of children and families.

In reviewing the Division's efforts to secure adequate resources to sustain the gains made in the David C. settlement agreement, CWPPG finds that the Division has been vigilant and assertive in presenting its financial needs to decision makers. However, in this period of increasingly limited financial resources within state government in many states, the fiscal climate in Utah has had an impact on selected areas of the DCFS budget. Ensuring that the cuts fall mainly on administrative operations may limit the negative impact on system performance and child and family outcomes in the short term; however in the long term, maintaining an adequate infrastructure is essential to sustaining the gains made. The cuts in family preservation staff raise greater concern.

26. In order to be deemed sufficient, resources must be adequate to support the continued administration of the quality assurance mechanisms set forth in Milestones 5-9 (or comparable quality assurance mechanisms after December 30, 2010), a trained workforce with a reasonable caseload (as described in Section C), administration and support for the SACWIS system (as described in Section D), and to maintain contract and flexible funding, as defined in Appendix A. The Division will designate sufficient resources to actualize this commitment.

METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will evaluate financial reports, budgets, and evaluate whether sufficient resources are designated such that the above listed items are maintained in a manner similar to how they are maintained in FY 2007.

Child Welfare Group Analysis

This item was assessed through the evaluation of financial reports, budgets, reports on training and workload. Numerous interviews with administrative staff, focus groups with the line staff, discussions with community stakeholders also inform the assessment of this item. [The actual agency budget is addressed in paragraph 25, above.] [The SACWIS system is addressed in paragraph 14, C, above.] The funding for the SACWIS system appears intact; although some routine equipment replacement appears to have been deferred. There is no indication of substantial cuts in the maintenance of the quality assurance mechanisms set forth in Milestones 5 - 9. These mechanisms were functioning throughout FY 2008 [see a more detailed discussion of their functioning in paragraph 14, above.]

27. The Division will make information on its budget available on the Department website on an annual basis. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will evaluate the budget and make sure that it is published on the Department Website.**

Child Welfare Group Analysis

This item was assessed through a review of the Division's website and through reviewing budget documents made available by the Department and the Division. Budget information is available through the review of documents that are accessible through the Internet (such as those cited in paragraph 25, above. At the time this report was written, the most recent budget information available on the Department website (more specifically, on the DCFS website) appeared to be in the FY 2007 Annual Report. It is a one page presentation (captioned "Funding") that provides a high-level perspective on funding sources, areas of expenditure, services provided, and flexible funding. This information would not permit examining the trajectory of expenditures across budget years, but does present a brief retrospective snapshot of income and expenditures for FY 2007.

28. Defendants recognize that having a trained workforce with a manageable caseload is crucial to sustaining the reforms achieved through this action. In order to maintain these important workforce standards, the Department and/or the Division shall carry out the following:

- (1) The Division shall ensure that all direct service employees receive training in accordance with the requirements of Utah Code § 62A-4a-107 (or its successor). **METHODOLOGY: See Paragraph 23.**
- (2) The Department shall conduct a workload study in Spring/Summer 2007. The methodology is attached at Appendix C, and the study's findings will be posted on the Department website. The Department will comply with the study's findings to the best of its abilities.
- (3) The Division shall ensure that supervisor to caseworker ratios are appropriate to ensure adequate supervision and mentoring. Appropriate supervisory ratios will be established by the Division's 2007 workload study.
- (4) The Division shall ensure that trainers have sufficient knowledge and ability to provide appropriate levels of training and support. The Division shall ensure that there are an appropriate number of trainers to comply with the training requirements set forth in Utah Code § 62A-4a-107.
- (5) The Department shall continue to monitor caseloads and the correlation between caseload and employee performance.
- (6) The parties stipulate that, at the present time, the appropriate caseload level is 15 cases per worker for CPS and in-home, and 12 cases per worker for foster care. If the workforce study performed by DCFS indicates that these numbers need to be adjusted, the Division will make reasonable efforts to adjust them.

METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will evaluate whether the Division and/or Department has made reasonable efforts to address workload needs. CWPPG will evaluate this using record review and stakeholder interviews.

Child Welfare Group Analysis

[See response to paragraph 29, below, related to workload. A copy of the Workload Study is found in Appendix F] CWPPG also determined that supervisory ratios are sufficient to provide appropriate supervision and mentoring and trainers have adequate knowledge and ability to deliver assigned training and are of sufficient number to assure timely training to staff

29. The Division shall provide caseload data to the Child Welfare Legislative Oversight Panel, the Child and Family Cabinet Council, and the state and regional Quality Improvement Committees at least semi-annually. Caseload data shall also be posted on the Department's website and updated at least annually. When material increases in caseload occur over three consecutive quarters, the Division will provide a plan to address those increases on its website, linked to the caseload data. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPPG will review training tracking logs, and interview key leadership to determine what percentage of staff is trained in the Practice Model (which modules, etc). CWPPG will evaluate (a) whether the caseload data is available on the Website, (b) whether the caseload data indicates a material increase in caseload and (c) if there is a material increase in caseload, has the Division provided a plan to address the increase, and (d) is that plan provided on the website. CWPPG will evaluate compliance with this paragraph through records review and stakeholder interview.**

Child Welfare Group Analysis

CWPPG interviewed central office leadership, budget staff and regional staff about current caseloads and reviewed caseload data to assess whether there has been a material change in Division caseloads. The chart, found on the following page, reflects that caseloads remain within the tolerance level established in the exit agreement which is no more than a ten percent change over a two year period. One region, Southwest, has experienced higher caseload ratios as a result of the effects of regional population growth. The Division allocated additional staff as a result of this growth and for the Division as a whole, has requested additional staff in its 2009-2010 budget request to the Legislature. Information on the Division's workloads can be found in the Quarterly Report – Employee Data, 4th Quarter FY 08 on the Division's website. Since the caseload was currently within exit standards, there is no plan, as referenced previously in Paragraph 28, on the website.

Average Number of Caseworkers with full load by												
	Fiscal Year 2006				Fiscal Year 2007				Fiscal Year 2008			
Service Area	1st	2nd	3rd	4th	1st	2nd	3rd	4th	1st	2nd	3rd	4th
CPS	115.2	106.5	109.7	114.7	106	102	112.5	109.3	106.3	103.5	112.3	111
Foster Care	170.7	171.2	179	182.8	175.3	186.8	188.8	201	203.3	200.7	208	206.8
In-home	69.5	64.3	69.5	64.2	55.8	51.3	58.7	48.7	42.5	46	46.2	54.3
Family Pres.	39.7	40.3	37.3	37.3	37	33.3	37.7	36.3	35.8	35	37.7	33.3
Generalist*	10.3	12.2	18.3	19.5	22.7	16.8	19.3	22.7	17.8	19	14.7	18
Total	405.4	394.5	413.8	418.5	396.8	390.2	417	418	405.7	404.2	418.9	423.4
Average Caseload												
CPS	12.8	13.3	13.7	12.7	13	12.9	13.8	13.5	12.8	12.4	12.7	13.4
Foster Care	14.3	14.6	14.1	14.1	15.4	13.8	13.9	14.1	14.6	14.5	14	13.9
In-home-Data compiled by Jack Green	13.5	13.5	13.7	13.4	13.7	13.2	13	13.1	14.4	14.2	13.8	13.5
Family Pres.	4.7	4.6	5.1	5.5	5.2	5.1	5.4	5.5	4.8	4.8	4.7	5.4
Generalist*	12.1	11.7	12.9	13.1	13.4	16.2			17.7	13.5	13.6	13.7
Overall	12.7	13	13	12.9	13.1	12.9	12.9	13	13.4	13.1	12.8	13

However, the data on the chart do not reflect that budget cuts for the current fiscal year are reducing family preservation staff by half, from thirty to fifteen, raising caseloads from five to ten. This is a troubling trend.

31. In order to ensure that Utah's child welfare system remains transparent, the Department shall do the following:

- (1) The Division shall continue to operate a statewide automated child welfare information system (SACWIS) equivalent to or better than the current SAFE data system that will track compliance with performance goals whenever possible.

METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will interview stakeholders and review the SACWIS system to (a) review its current level of functioning and (b) learn about any improvements to the system.

Child Welfare Group Analysis

[See response to paragraph 14, C , above.]

- (2) The Office of Services Review shall perform the CPR and QCR annually and will issue an annual report, and the Division will provide support as set forth in more detail in paragraphs 18 and 19, above. **METHODOLOGY: as set forth above.**

Child Welfare Group Analysis

[See response to paragraphs 18 and 19, above.]

- (3) The Department shall make the following information available on the Department website as soon as it is practicably available: CPR scores (posted annually), QCR scores for each region (posted annually as regional data is available); workload study results; OSR annual report; the Division quarterly reports (including trend data and caseloads broken down by region); Federal Child and Family Services Review data, including program improvement plans and updates. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will review the websites and insure that information is available.**

Child Welfare Group Analysis

This item was assessed through a review of the Department website. Much of the information called for is easily accessible from the website through a link to "Transition from Court Oversight". The CPR scores are available in the OSR Annual Report for FY 2008 (titled "A System Review of the Division of Child and Family Services"). This document also contains the statewide QCR scores, as well as the regional QCR scores. The data is presented with sufficient context to be able to see advances or declines in outcomes and performance. The DCFS

quarterly reports (including trend data and caseloads broken down by region) are available on the website as well. The Federal Child and Family Services Review (CFSR) data, including program improvement plans and updates, is available on the website. Utah received notice of completion of its program improvement plan in early 2008. The federal review data is of limited utility at the moment, since it is essentially five years old. Utah will have another CFSR in 2009 that may provide some context for the earlier CFSR results and Utah's response. Workload information is also available on the website. The two workload studies (reviewing workload at the caseworker level and the supervisory level) are accessible as well as current (up to the fourth quarter of FY 08) employs workload data (in the quarterly report on employee data).

- (4) If the data collected in the QCR or CPR demonstrates a marked decline in performance (as defined in Appendix A), or if there is a material increase in caseloads that occurs over three consecutive quarters, the Department shall provide an appropriate response to the marked decline in writing, which shall be available on the Department website. **During the evaluation period (July, 2008-October, 2008), CWPPG will evaluate whether the (a) OSR annual report indicates a marked decline in performance, (b) whether the Department, has provided an appropriate response in writing and (c) whether the response is available on the Department website. If the annual report is not available, CWPPG will review the available regional reports, and OSR will provide as much information as is reasonably available.**

Child Welfare Group Analysis

This item was assessed through an examination of the OSR Annual Report for FY 08, the individual regional QCR reports for FY 08, the DCFS website, and interviews with administrators and community stakeholders. The OSR Annual Report, section III, presents the CPR data clearly and with useful context. There were no CPR results that met the agreed definition for "marked decline", although some individual questions did demonstrate worrisome declines. Some of these declines are likely attributable to small sample sizes for the questions involved. Others, even though they did not meet the definition for a marked decline, were logical sources of concern (for example, FC.IV A3, which declined from 91% to 79%). The report includes sections (E and F) that address an analysis of results that are worrisome and opportunities for strengthening practice. [Also, see the assessment of paragraph 14 D and paragraph 19, above.]

Two regions (Southwest in FY 2007, and Eastern in FY 2008) experienced marked declines in one of the core indicators of system performance. Both of these marked declines resulted in the timely development of regional Action Plans to address the factors believed to be relevant to the deterioration in system performance observed in the QCR results. These action plans were in writing and are available on the DCFS website. [Additional discussion of this issue is provided in the response to paragraph 14, D, above.]

- (5) The Office of Services Review shall provide information regarding the QCR and CPR results to each QI committee annually, and will provide reasonably available region

specific information as requested by the regional committees. OSR shall also have responsibility for the analysis of system performance data and identify areas of concern, if any. **During the review period (July, 2008-October, 2008), CWPPG will visit QI Committee meetings, interview key stakeholders, and review QI and OSR records.**

Child Welfare Group Analysis

This issue was examined through observation of QI committee meetings, interviews with key stakeholders and the review of QI committee records and OSR state and regional reports. There are sufficient indications that OSR has regularly met with and provided information to both the state and regional QI committees. There are clear schedules for OSR to report CPR and QCR results to the QI committees and these meetings are documented.

- (6) The Division shall notify Plaintiffs' counsel when the data required in (3) is made available. Defendants shall also provide such information, as Plaintiffs may deem necessary or appropriate to monitor and evaluate Defendants' compliance or non-compliance with the parties' Stipulation, as long as that information is reasonably ascertained and organized. This obligation shall continue through December 30, 2010.

Child Welfare Group Analysis

Although there is no specific methodology prescribed for assessing this item, an inquiry was made to the Plaintiffs' counsel regarding the extent to which this aspect of the agreement has been maintained to date. Plaintiffs' counsel responded that, "Defendants have been providing plaintiffs with regular updates on the availability of data, as well as other important issues that have arisen."

- (7) In accordance with best practices around the country, trend data shall be analyzed through multiple cohorts, including entry, exit, and point-in-time, depending on which process or combination of processes provides the most reliable methodology for the trends being tracked. **During the review period (July, 2008-October, 2008), CWPPG will review quarterly reports and other appropriate records, and interview appropriate stakeholders about the methods of analysis.**

Child Welfare Group Analysis

This item has been reviewed through the examination of quarterly reports and other records, as well as interviews with administrative stakeholders responsible for trend data presentation and analysis. There is increased utilization of cohort analysis in data that is routinely tracked and reported. Specific examples include the use of entry and exit cohorts in examining timely reunification in the Quarterly Reports -- Performance and Outcomes, the use of exit cohorts in examining average months in care by permanency goal in the Quarterly Reports -- Demographic Data, and in examining average months in care in the Trend Indicators Yearly Report. There

appears to be a wider range of reporting strategies that are better matched to the trends being tracked. There is some limited, but encouraging, utilization of additional analytic tools such as the application of trend lines to enable readers to make more sense of what may appear to be fairly erratic data.

32. The parties agree that QI committees play a crucial function in ensuring the sustainability of reforms by providing for an informed public review of system performance. In order to support this important role, the Division shall commit to the following:

- (1) The Division shall provide adequate staffing for the state and regional committees to ensure adequate membership (as discussed below in sub-paragraph 3) assist these committees with data collection and interpretation, to provide detailed information regarding the Division's practice, and to support the QI committees' ability to make recommendations for systemic improvement. OSR shall assist the Division in providing QI committees with data and an analytical framework for that data. When necessary, the Division staff shall coordinate with the QI committees to gather additional information from the community. **During the review period (July, 2008-October, 2008), CWPPG will review QIC minutes and interview stakeholders to determine whether the Division is providing adequate staff support that provides (a) assistance with data collection and interpretation, (b) provides information on Division practice if requested, (c) supports the QIC's ability to make recommendations, and whether (d) OSR is meeting with the QICs to provide an analytic framework for the data.**

Child Welfare Group Analysis

This item was assessed through the review of QIC minutes, QIC quarterly reports, other documents on the QIC website, direct observation of QI committee meetings and interviews with QIC members. There are clear indications that DCFS and OSR have made consistent efforts to support the various QI committees. There are regular meetings between OSR and the QI committees to discuss important sources of information such as the CPR and QCR. In addition, each of the QI committees have DCFS members that are responsible for supporting the work of the QI committees through, for example, assembling and interpreting additional regional information bearing upon a topic of interest to the committee. For example, during the observation of the Northern QIC meeting there was a report to the committee and an ensuing discussion based upon regional data assembled specifically for the committee regarding "clients who are languishing in care" -- children and youth in care for more than 24 months. The discussion and data presentation were based upon concerns that crystallized in earlier meetings. This discussion helped to inform an action step planned by the committee to learn more about a reportedly successful program to locate relative connections for children and youth where an initial attempt to locate relatives may have failed. The majority of the QI committees observed involved some data presentation by DCFS staff. As noted earlier, the quality and depth of the conversations in QI committees about data and the analysis of data varied considerably from apparently pro forma data reports to the sort of clearly useful and productive interactions provided in the example, above. [See response to paragraph 14, E, above.]

- (2) The Division shall educate the QI committees about the data and information sources used by the Division and the Department annually. QI committee members will be invited to attend QCR reviews, to participate in daylong child welfare practicum (currently referred to as “immersions”), and to shadow workers when appropriate. **During the review period (July, 2008-October, 2008), CWPPG shall determine whether QI committee members are given the opportunity to attend “immersions” and QCR reviews, and whether the committees are given information about the data and information available to them. To make this determination, CWPPG shall review records, including QIC minutes and immersion attendance records, attend QI meetings, and interview stakeholders.**

Child Welfare Group Analysis

This item was reviewed through observation of the QI committees, and reviews of QIC minutes and quarterly reports. There is ample evidence of the productive use of the "Immersion" process to educate current and potential QI committee members about the operations of DCFS and how the agency's work has an impact on children and families. Variations on the "Immersion" theme abound, both at the state level and in the regions. Some of the immersions are clearly focused on developing a deeper level of understanding on the part of community stakeholders and appeared to be well organized. Some other QI committees (or the DCFS regions supporting them) appeared to respond to some sense of obligation to utilize the immersion process, perhaps because other regions in the state reported positive experiences with the process. There clearly have been some good results at both the state and regional level. For example, a recent immersion experience in the Salt Lake Valley region focused on understanding and resolving relationships between child welfare and multiple public school districts over issues that might be perceived quite differently by child welfare and a school district such as accommodations for children who have moved out of the district as they entered foster care. At a yet higher-level, there is a scheduled immersion experience for state legislators. Legislators were heard to speak very positively about prior experiences that contributed to their understanding of the complexity of child welfare work. The immersion experiences, like data utilization, varies widely across the QI committees and are likely reflective of the level of maturation and support at the individual committee level. [See the response to paragraph 14, E, above.]

- (3) The Division shall make reasonable and good faith efforts to recruit at least one GAL or CASA, at least one former foster youth or family member who has been involved with the child welfare system, and at least one foster parent to participate on the state and regional QI Committees. The Division shall make good faith efforts to ensure that the committees reflect the racial diversity of any significant minority of the Division's clients. **During the review period (July, 2008-October, 2008), CWPPG shall review the membership rosters of the QICs, shall interview stakeholders, and shall review data regarding racial diversity, and determine whether good faith efforts have been made to recruit the groups mentioned above.**

Child Welfare Group Analysis

This item was evaluated through a review of the membership rosters of the QIC's, observation of the meetings, and stakeholder interviews. There clearly have been efforts to recruit and maintain active participation by QI committee members in the categories described above. A substantial majority of the committees have some representation from foster parents and GAL's or CASA's. All of the committees have a substantial representation of community agencies and providers. Some racial and ethnic diversity is evident on some committees, although diversity is largely represented in members who are professionals in some community agency. A minority of the committees have representation from consumers -- youth or families with recent experience in DCFS. There has been little success in recruiting or maintaining the participation of consumers, although there is evidence of efforts to recruit them. Most frequently, consumers appear briefly and then disappear as QI committee members. There does not appear to be any organized plan for recruiting or supporting the continued involvement of consumers. A strength in several of the committees has been recruitment and regular participation by community leaders and volunteers with real influence within the community. Although the composition of the committees varies greatly, DCFS has not exclusively recruited compliant and un-opinionated members. There are individuals who are willing to commit resources and time, and whose opinions cannot be readily ignored.

- (4) The Division shall facilitate the exchange of information among QI committees by supporting a website, and other appropriate information sharing devices. The Division shall also continue the practice of having an annual QI committee summit to assist in the exchange of information and best practices from the regions. **During the review period, CWPPG shall review the existing website, and have access to any portion of the website to determine its functionality.**

Child Welfare Group Analysis

This item was assessed by a thorough exploration of the existing website designated to support the QI committees. The website is fully functional and is relatively easily accessible from the DCFS or DHS homepages. It also can be located without much difficulty through a Google search. There are some useful links from the site, although the number of links is modest and all are links to other government agencies within Utah. The membership lists for all of the various QI committees are available online, but the utility of the lists varies widely. Some provide helpful information about the role of different members and information about communicating with them, such as their e-mail addresses. Others simply list names and agency affiliations. An example of a user-friendly list would be the Southwest Region/Washington County membership list. There is also a link to the 2007 Annual Report for Quality Improvement Committees. The document is fairly dense, but does provide a good deal of useful information for someone curious about the purpose and operation of the QI committees. It also contains a summary of the dialogue between the State QI committee and DCFS regarding a number of issues. There is also a listing of the regional committees and their members. The richness of the committee specific content on the website varies considerably between the various state and regional QI committees;

and this variability is probably reflective of the general variability in the vitality of the committees noted earlier.

33. Once federal court oversight concludes, Utah's child welfare system will have sufficient oversight from other entities outside the Division to ensure continued progress and to minimize system regression. In addition to the oversight efforts described above, the Department also shall maintain the following processes and entities to ensure systemic monitoring and improvement:

- (1) The Department shall continue to provide staffing and administrative support for the Office of Child Protection Ombudsman and the Child Fatality Review Committee. These entities play a vital role in monitoring the child welfare system, responding to system challenges or failures, and preventing systemic problems.

METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will review reports and interview stakeholders regarding (a) the Department's continued support of OCPO and CFRC.

Child Welfare Group Analysis

This item was assessed through interviews with administrative leaders, community stakeholders and a review of the OCPO and CFRC reports -- both of which are up-to-date and available on the agency website. Staffing and administrative support for the offices continues and there is no indication of diminished capacity to produce reports comparable to those produced in the past. Both offices are, as in the past, quite small and any reductions would be consequential. Although both reports strive for factual clarity and provide some specific recommendations, and evidence of agency response to the recommendations, they provide limited analysis of their findings; leaving readers to draw their own conclusions about questions that might arise reading the reports or examining the data. For example, the CFRC data documents noticeable recent increases in deaths related to abuse and neglect, and a three year trend in the number of deaths reported within DHS. The provision of some analysis or context would be helpful. For example, do the increases track population increases, increases in CPS reports, or are they perhaps simply random? The limited analysis may reflect the small size of the offices noted earlier and the workload on the individuals involved.

- (2) The Department's Executive Director's Office and executive leadership team shall continue to provide input and assistance.

Child Welfare Group Analysis

Although there is no specific methodology prescribed for assessing this item, it was assessed through interviews with Department and Division staff, and through other stakeholder interviews. There was consistent evidence of input and assistance to the Division that reflected that the reform continues to have a high priority.

- (3) The Department will continue to provide administrative support for the handling of individual complaints, and will work with the Governor's office to resolve constituent complaints received by that office.

Child Welfare Group Analysis

Although there is no specific methodology prescribed for assessing this item, it was assessed through interviews with Department leaders that confirmed continued attention to the timely resolution of individual complaints. There are assigned staff responsible for resolving constituent complaints.

- (4) The Division will continue to provide technical assistance and support to the regions through the use of practice improvement teams and reliance on OSR, at least through December 30, 2010. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will interview stakeholders and review any available documentation of the Division's provision of technical assistance and support to the regions, including, but not limited to: finishing touches, program improvement plans, and practice changes.**

Child Welfare Group Analysis

This item was assessed through the examination of documents and through stakeholder interviews. OSR continues to provide technical assistance to the state and regions in response to issues arising through the CPR and QCR. This technical assistance is documented in regional reports and in the annual report. The activities of the program improvement teams were reflected in stakeholder interviews. For example, an interview with the Eastern Regional Director reflected recent support for a regional program improvement team that will support both broader and deeper assistance than a single individual previously doing this work was able to deliver. Similarly, the work of the "Supervisor Finishing Touches" is documented in the Quarterly Report -- Performance and Outcomes. Evidence was also reviewed that described plans to address CPR questions that show performance declines; even in the absence of the declines reaching "marked decline" status. This indicates some focus on prevention, rather than waiting for results that require reaction. The use of action plans to address worrisome results from the QCR has been reviewed previously [see paragraph 14, D, or above.]

- (5) The Division will comply with the Federal Administration on Children and Families' Federal Child and Family Services Review. These reviews will provide state specific and comparative data on the Division's performance. Results from the Reviews will be available on the Department Website. **METHODOLOGY: CWPPG will review the Division's submissions to the Federal Government, and any performance improvement plans or other federally required actions.**

Child Welfare Group Analysis

This item was assessed through the Division's submissions to the Federal Government related to the CFSR that are easily accessible on the Division's website. Because of a delay in the review cycle, the last CFSR results are five years old at this point. The only notable point is that the state's program improvement plan was determined to be completed in early, 2008. Further useful data from the source will not be available until after the next CFSR in Utah which will occur in 2009.

34. The Department shall also provide information on system performance to entities that provide direct oversight of the child welfare system, including information regarding performance areas where there has been a marked decline in performance as defined in Appendix A. This information shall be publicly available on the Department website, and will be presented (either orally or in writing) to the following entities at least annually: the DCFS Board, the QI Committees, the Child Welfare Legislative Oversight Panel, and the Governor's Child and Family Cabinet Council. Information that shall be provided includes, but is not limited to: CPR and QCR results, DCFS quarterly and annual reports, OCPO reports, Child Fatality Review Annual Report reports, and the Foster Care Citizen Review Board Annual Report, as long as such committees exist. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will interview stakeholders and review documentation of submissions, to determine whether the information is publicly available and widely disseminated as set forth above.**

Child Welfare Group Analysis

This item was assessed through stakeholder interviews, interviews with administrative leaders, reviews of documentation, and a review of the information available on the agency's website. The required information is clearly available on the website through the state and regional QCR reports and through the OSR Annual Report. These reports are completed in timely fashion and provide sufficient information to permit reasonably accurate judgments about progress. The information in the regional QCR reports tends to provide more analysis about progress and, more importantly, any declines in performance than the Annual Report, which is more general. While it is natural for an agency to present itself in a positive light, it is not easy to find analysis in the Annual Report or in the presentation to the Child Welfare Legislative Oversight Panel that clearly addresses the potential seriousness of the declines observed in most regions that were discussed earlier in this report [see paragraph 14, D, above.] The information and the relevant analysis are present in the regional QCR reports, but it is difficult to determine whether or not a potential seriousness of the declines would be well understood without reading each of the regional reports.

35. The Department shall continue to provide performance information to and collaborate with outside entities who share systemic concerns, including but not limited to: the Drug Endangered Children panels, the YWCA, the Standing Committee on Child and Family Law administered by the Judicial Council, the Board of Juvenile Court Judges, the Court Improvement Project, and Voices for Utah Children. The Department anticipates that these entities will provide another level of system review. If appropriate, the Department will engage some of these entities in supporting the Department's request for Division funding. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will interview stakeholders, attend meetings, and review documentation provided by the Division to determine whether performance information is shared, and whether collaboration has been sought.**

Child Welfare Group Analysis

This item was examined through stakeholder interviews and the review of documentation provided by the Division and by the Department. Contact and documentation was not confirmed for each of the entities listed above, but there was sufficient information to confirm that a number of the entities are involved in an organized process to monitor the progress of the child welfare system in Utah. Letters of confirmation, minutes and agendas reviewed indicated the involvement of the YWCA, the Governors Child and Family Cabinet Council, the Board of Juvenile Court Judges, the Guardians ad Litem Oversight Committee, the Utah Court Improvement Program, the Child Welfare Legislative Oversight Panel, and the Standing Committee on Children and Family Law. Perhaps the most detailed opportunity to get a sense of the quality and tenor of these interactions was the audit of the child welfare legislative oversight panel noted earlier [see paragraph 36, below.] There were specific presentations of the CPR and the QCR, as well as more far ranging discussions regarding the relationships between the child welfare system and other child and family serving agencies in the community, and the need to manage budget restrictions in such a way that reform successes are preserved.

36. The Department shall provide information and testimony to the Child Welfare Legislative Oversight Panel at least annually on the safety and well being of Utah's children, and will provide testimony to other committees and sub-committees of the Utah Legislature as requested. **METHODOLOGY: During the review period, or during applicable legislative sessions, CWPPG will access testimony given to the CWLOP.**

Child Welfare Group Analysis

This item was reviewed through examination of minutes of prior Child Welfare Legislative Oversight Panel and through the audit of the most recent (October 6, 2008) meeting of the panel. There were ample indications of an ongoing constructive relationship between the Department and the Division, and the panel. The presentations and ensuing discussions indicated candor around issues of concern (such as anticipated budget shortfalls) and work to develop a shared perspective that reflects the values and priorities of the reform. It is noteworthy that the CWLOP recently became a permanent legislative committee. This development, as one senior administrative official phrased it, "... offers an important vehicle for keeping a core of legislators well-informed, and because well-informed, supportive." Other records reviewed indicated consistent communication, with and testimony before other legislative committees such as the Health and Human Services Committee.

37. The Division will work with the local institutions of higher education to maintain an appropriately educated workforce and, when appropriate, will use the institutions' resources for research, independent review of system performance, and to study areas where the Division has experienced a marked decline in performance. **METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will evaluate any documentation of the Division's work with institutions of higher education and conduct appropriate stakeholder interviews.**

Child Welfare Group Analysis

This item was evaluated through stakeholder interviews and reports provided by the Division. The Division reports a variety of joint initiatives with the University of Utah, Utah State University and Primary Children's Medical Center. For example, these initiatives include research or evaluation on issues such as the involvement of foster children in the juvenile justice system, training for pre-adoptive and adoptive parents, the impact of domestic violence on children and healthcare costs of child maltreatment. The Department has not chosen institutions of higher education to assist in addressing areas of marked decline in performance at this time. CWPPG found a clear pattern of regular involvement between DCFS and institutions of higher education in advancing knowledge about the child welfare system.

38. The Department will continue to invite community leaders to participate in daylong child welfare practicum (currently referred to as "immersions") until at least June 30, 2008.

METHODOLOGY: During the review period (July, 2008-October, 2008), CWPPG will review attendance lists from the Child Welfare Practicum; will interview stakeholders and attendees; and may attend a practicum.

Child Welfare Group Analysis

This item was assessed principally through minutes and reports from the state and regional QI committees, observation of regional QI committee meetings, and stakeholder interviews. There are substantial indications of consistent and ongoing use of the Child Welfare Practicum (the "Immersion" experiences) to involve and educate community leaders about the work of the child welfare system. It has been used to involve special audiences such as state legislators or district school officials as well as to provide a more general introduction to a wide range of community leaders and volunteers as a recruitment tool for the QI committees and the QCR. These experiences have been largely successful in helping participants to develop a more informed and balanced perception of child welfare work and child welfare issues; and to counterbalance perceptions that might be based on isolated anecdotes, personal experiences, or news reports. Variability in the utilization of the immersion experience has been described as been described earlier in this report [see paragraph 32, (2), above.]

Appendix